

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

ANTOLIN ANDREW MARKS,

Plaintiff,

v.

JOHN DOE ALBIN *et al.*,

Defendants.

Case No. C06-5675RBL

ORDER DENYING PLAINTIFF'S  
MOTION FOR AN EXTENSION OF  
TIME TO FILE THE AMENDED  
COMPLAINT

This Bivens action has been referred to the undersigned Magistrate Judge pursuant to Title 28 U.S.C. § 636(b)(1)(B). Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971). Plaintiff has been given leave to proceed *in forma pauperis* (Dkt. # 7).

In January of 2007, after review of the initial complaint, the court ordered plaintiff to amend (Dkt. # 8). An amended complaint was filed in February (Dkt. # 9). Review of the amended complaint showed it to suffer from the same defects as the original. Plaintiff was again instructed to file an amended complaint (Dkt # 10).

Plaintiff has not complied with the court's order. Instead, he filed a motion to conduct discovery (Dkt. # 11). When his motion was denied, (Dkt., # 12), he filed the current motion asking for an extension of time (Dkt. # 13). Plaintiff alleges he needs more time because of other current

1 litigation. The motion is **DENIED**. The court has given plaintiff over 90 days to file an acceptable  
2 complaint.

3 The Clerk is directed to send a copy of this Order to plaintiff.

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5 DATED this 7 day of May, 2007.

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7 /S/ J. Kelly Arnold

8 J. Kelley Arnold

9 United States Magistrate Judge  
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